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Attorneys for Defendants
 DISCOVER BANK and
 DISCOVER FINANCIAL SERVICES, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

DISCOVER BANK, A DELAWARE
 FINANCIAL INSTITUTION, AND
 DISCOVER FINANCIAL SERVICES, INC., A
 DELAWARE CORPORATION,

 Plaintiffs,

 vs.

 FEDERAL INSURANCE COMPANY, AN
 INDIANA CORPORATION,

 Defendant.

Case No. 05-01622 (SC)

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE FURTHER
 CASE STATUS CONFERENCE**

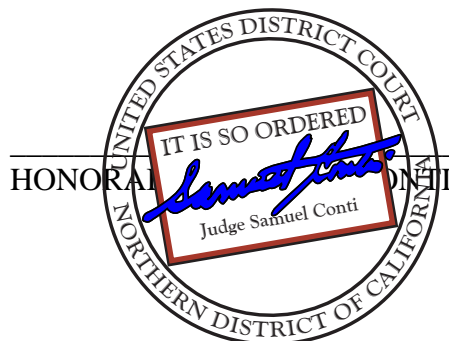
District Court Judge: Hon. Samuel Conti

On January 6, 2006, this Court held a Status Conference in the above-captioned matter and signed an Order of Dismissal. The Court set a Further Status Conference for December 8, 2006 because the parties' Settlement Agreement has an open ended request for the Court to retain jurisdiction.

Plaintiffs DISCOVER BANK and DISCOVER FINANCIAL SERVICES, INC., and Defendant FEDERAL INSURANCE COMPANY, agree that a conference with the Court is unnecessary at this time and hereby stipulate to continue to November 2, 2007 at 10:00 a.m. the Further Status Conference currently calendared for December 8, 2006 at 10:00 a.m.

Accordingly, **IT IS HEREBY ORDERED:**

Dated: December 8, 2006



APPROVED AS TO FORM:

DATED: December 7, 2006

KIRKLAND & ELLIS LLP
JULIE A. AHRENS

By: _____/s/_____
James Shannon
Julie A. Ahrens
Attorneys for Plaintiffs
DISCOVER FINANCIAL SERVICES LLC
AND DISCOVER BANK

DATED: December , 2006

HIGGS, FLETCHER & MACK LLP
THOMAS M. CORRELL

By: _____
Thomas M. Correll
Attorneys for Defendant
FEDERAL INSURANCE COMPANY

1 Accordingly, **IT IS HEREBY ORDERED:**

2
3 Dated: December ____, 2006
4

5 _____
6 HONORABLE SAMUEL CONTI

7 **APPROVED AS TO FORM:**

8 DATED: December ____, 2006
9

KIRKLAND & ELLIS LLP
JULIE A. AHRENS

10 By: _____
11 James Shannon
12 Julie A. Ahrens
13 Attorneys for Plaintiffs
14 DISCOVER FINANCIAL SERVICES LLC
AND DISCOVER BANK

15 DATED: December 7, 2006
16

HIGGS, FLETCHER & MACK LLP
THOMAS M. CORRELL

17 By: Thomas M. Correll
18 Thomas M. Correll
19 Attorneys for Defendant
20 FEDERAL INSURANCE COMPANY
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